

Patrick Bumpass

Subject: FW: Action Requested: PACER Fee Exemption Request for Edward K. Cheng (6564086), Hillel Bavli (7864859) and Kathryn Powell (7628692)

Subject: Action Requested: PACER Fee Exemption Request for Edward K. Cheng (6564086), Hillel Bavli (7864859) and Kathryn Powell (7628692)

Dear Clerk,

The attached Multi-Court Exemption Applications and supporting documentation request an exemption from EPA fees for Mr. Edward K. Cheng (PACER ID: 6564086), Mr. Hillel Bavli (PACER ID: 7864859) and Ms. Kathryn Powell (7628692) through June 1, 2025. We recommend the exemption requests be approved.

The Electronic Public Access Fee Schedule provides that a court may consider exempting individual researchers associated with educational institutions if they have shown that the defined research project is intended for scholarly research that is limited in scope and not intended for redistribution on the internet or for commercial purposes. A request is limited in scope if the amount of exempt access requested is narrowly tailored to meet the needs of the defined research project.

Mr. Edward Cheng is a professor of law at Vanderbilt University, Mr. Hillel Bavli is an associate professor of law at the Southern Methodist University and Ms. Kathryn Powell is a law student at Vanderbilt University, who are working together on a research project. Their research project will study the frequency of special verdicts and its changes every four years between 1991-2023 (9 Years total). They require access to torts (245,310,315,340,345,350,355,360,362,365,820 and 442) with an estimated number of cases between 15,000 and 50,000. A full description of their research plan is attached.

Mr. Edward Cheng's PACER account number is 6564086, Ms. Kathryn Powell's PACER account number is 7628692, and Mr. Hillel Bavli's PACER account number is 7864859. For your convenience, a sample order is attached. If your court chooses to grant the researchers' exemption requests, please forward a copy of the order to the PACER Service Center at pacer@psc.uscourts.gov, to this mailbox at Multi-CourtExemptions@ao.uscourts.gov, and to the researchers at the email addresses listed on the application forms.

Should you have any questions, please contact Michael Djan. Thank you.

Michael Djan
EPA Management Analyst

Court Services Office
Department of Program Services
Administrative Office of the U.S Courts
Washington DC, 20544
202-502-2273

From: Cheng, Edward <edward.cheng@Vanderbilt.Edu>
Sent: Friday, February 23, 2024 4:57 PM
To: AOdb_Multi-CourtExemptions <Multi-CourtExemptions@ao.uscourts.gov>
Subject: Re: Academic Exemption Request

CAUTION - EXTERNAL:

Sure -- here are the PACER ID numbers:
Edward K. Cheng, 6564086
Hillel Bavli, 7864859
Kathryn Powell, 7628692

I wasn't sure if you wanted the numbers in an e-mail (above), or on the application itself. If the latter, I've attached an amended supplemental PDF file.
Thanks for your help,
Ed

On 2/22/24 2:59 PM, AOdb_Multi-CourtExemptions wrote:

You don't often get email from multi-courtexemptions@ao.uscourts.gov. [Learn why this is important](#)

Greetings Professor Cheng,

Please provide us with the PACER ID numbers of members of the research team on the application forms.

Thank you

From: Cheng, Edward <edward.cheng@Vanderbilt.Edu>
Sent: Tuesday, February 20, 2024 8:21 PM
To: AOdb_Multi-CourtExemptions <Multi-CourtExemptions@ao.uscourts.gov>
Subject: Re: Academic Exemption Request

CAUTION - EXTERNAL:

Dear AO Multicourt Exception Office,

Thanks for your helpful questions/feedback on our multi-court exemption request in September. Attached please find request forms for all three members of our research team (myself, Hillel Bavli, and Kathryn Powell). All three request forms reference an additional supplemental attachment that describes our project and provides answers to the questions that you detailed in your

e-mail of Sept 6, 2023. I apologize for the multiple attachments -- there is some technical Acrobat issue that doesn't allow combining the forms.

We appreciate your assistance on this matter. Please let me know if I can answer any additional questions.

Best,

Ed

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Edward K. Cheng
Hess Professor of Law | Vanderbilt Law School
<http://law.vanderbilt.edu/bio/edward-cheng>
www.excitedutterance.com
www.fairscoremodel.com

On 9/6/23 8:11 AM, AOdb_Multi-CourtExemptions wrote:

Dear Professor Edward Cheng,

Our office reviews and recommends Multi court exemption request approvals to the courts. After a review of your application, we determined that the research design is too broad. As a way to narrow the request to meet the guidelines of the Judicial Conferences' policy, we ask that you use the following questions as a guide to narrow it down from "To reach a statistically rigorous conclusions, the research requires collecting a large number of cases in a select number of fields" to more specific details:

- a. How many cases or documents do you estimate would answer or meet the needs of your research question/design
 - b. What are the specific types of documents you plan to search on PACER?? Are all of those documents readily available on PACER?
 - c. You indicated in your application that there are two other individuals on your research team. Will they have access to the data you are requesting exemption for?? If so, they would need to apply separately. If not no further action is needed. The more specific you are with the research design and request for documents the more likely that courts would approve your request.
- After you narrow it down, you may resubmit the application along with any attachments you determine necessary.

I hope this helps.

Regards

From: Cheng, Edward <edward.cheng@Vanderbilt.Edu>

Sent: Tuesday, September 5, 2023 9:51 PM

To: AOdb_Multi-CourtExemptions <Multi-CourtExemptions@ao.uscourts.gov>

Subject: Re: Academic Exemption Request

CAUTION - EXTERNAL:

Hi,

Yes I would appreciate a discussion on how to modify the request. To the extent that we still need to do exploratory research on the special verdicts forms, I'm not sure how I can narrow the research design at this point.

Thanks,
Ed

On 9/5/23 2:31 PM, AOdb_Multi-CourtExemptions wrote:

Dear Professor Edward K. Cheng,

Our office centralizes and coordinates the review of PACER fee exemption requests submitted by academic researchers for multiple courts. We assess whether requests are in accordance with Judicial Conference policies and the discretionary fee exemptions of the Electronic Public Access Fee Schedule. For requests from individual researchers associated with educational institutions we assess whether the request is for a defined research project, is intended for scholarly research, is limited in scope, and that it is not intended for redistribution on the internet or for commercial purposes. A request is limited in scope if the amount of exempt access requested is narrowly tailored to meet the needs of the defined research project.

For requests that are in accordance with Judicial Conference policies and the Electronic Public Access Fee Schedule, we provide guidance and a recommendation to each court from which records are requested, leaving the ultimate decision on whether to grant a request with the courts themselves.

Based on our review, your application does not meet the requirements set out above because it is overly broad in **research design**. If you would like to discuss modifying your request to address this issue, please respond to this email. If we do not hear from you, no further action will be taken.

From: Cheng, Edward <edward.cheng@Vanderbilt.Edu>

Sent: Monday, September 4, 2023 4:48 PM

To: AOdb_Multi-CourtExemptions <Multi-CourtExemptions@ao.uscourts.gov>

Subject: Academic Exemption Request

CAUTION - EXTERNAL:

Dear PACER administrator,

I have attached my PACER fee exemption request for a research study I am conducting. Thanks in advance for your help.

Best,

Ed Cheng

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

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Edward K. Cheng
Hess Professor of Law | Vanderbilt Law School
<http://law.vanderbilt.edu/bio/edward-cheng>
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